

**ASSEMBLY BILL**

**No. 1746**

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**Introduced by Assembly Member Emmerson**

February 8, 2010

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An act to amend Section 5600 of, and to add Section 5600.05 to, the Business and Professions Code, relating to architects.

LEGISLATIVE COUNSEL'S DIGEST

AB 1746, as introduced, Emmerson. Architects: continuing education.

Existing law provides for the licensure and regulation of persons engaged in the practice of architecture by the California Architects Board. Existing law requires a person licensed to practice architecture to complete, as a condition of license renewal, coursework regarding disability access requirements, as specified, to certify that completion, and to provide specified documentation to the board.

This bill would authorize the board to audit the records of a licensee, would, until January 1, 2015, require the board to audit at least 3% of the license renewals received each year, to verify completion of the coursework, and would, commencing with the 2-year license renewal cycle beginning January 1, 2013, require a licensee to provide the specified documentation only upon that audit. The bill would exempt a licensee from these coursework requirements for the licensee's first license renewal in certain circumstances. A licensee that violates these provisions would be subject to a specified civil penalties. The bill would require the board to submit, on or before January 1, 2019, a letter to the Legislature relating to these requirements.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 5600 of the Business and Professions Code is amended to read:

5600. (a) All licenses issued or renewed under this chapter shall expire at 12 midnight on the last day of the birth month of the licenseholder in each odd-numbered year following the issuance or renewal of the license.

(b) To renew an unexpired license, the licenseholder shall, before the time at which the license would otherwise expire, apply for renewal on a form prescribed by the board and pay the renewal fee prescribed by this chapter.

(c) The renewal form shall include a statement specifying whether the licensee was convicted of a crime or disciplined by another public agency during the preceding renewal period and that the licensee's representations on the renewal form are true, correct, and contain no material omissions of fact, to the best knowledge and belief of the licensee.

~~(d) (1) As a condition of license renewal, a licensee shall have completed coursework regarding disability access requirements pursuant to paragraphs (2) and (3). A licensee shall certify to the board, as a part of the license renewal process, that he or she has completed the required coursework prior to approval of his or her license renewal and shall provide documentation from the course provider that shall include the course title, subjects covered, name of provider and trainer or educator, date of completion, number of hours completed, and a statement about the trainer or educator's knowledge and experience background.~~

~~(2) (A) For licenses renewed on and after July 1, 2009, and before January 1, 2010, a licensee shall have completed one hour of coursework.~~

~~(B) For licenses renewed on and after January 1, 2010, and before January 1, 2011, a licensee shall have completed two and one-half hours of coursework.~~

~~(C) For licenses renewed on and after January 1, 2011, a licensee shall have completed five hours of coursework within the previous two years.~~

~~(3) Coursework regarding disability access requirements shall include information and practical guidance concerning requirements imposed by the Americans with Disabilities Act of~~

1 ~~1990 (Public Law 101-336; 42 U.S.C. Sec. 12101 et seq.), state~~  
2 ~~laws that govern access to public facilities, and federal and state~~  
3 ~~regulations adopted pursuant to those laws. Coursework provided~~  
4 ~~pursuant to this paragraph shall be presented by trainers or~~  
5 ~~educators with knowledge and expertise in these requirements.~~  
6 ~~The board shall require that a licensee certify that he or she has~~  
7 ~~satisfied the requirements of this subdivision as a condition of~~  
8 ~~license renewal.~~

9 SEC. 2. Section 5600.05 is added to the Business and  
10 Professions Code, to read:

11 5600.05. (a) (1) As a condition of license renewal, a licensee  
12 shall have completed coursework regarding disability access  
13 requirements pursuant to paragraphs (2) and (3). A licensee shall  
14 certify to the board, as a part of the license renewal process, that  
15 he or she has completed the required coursework prior to approval  
16 of his or her license renewal and shall, until the conclusion of the  
17 license renewal cycle beginning January 1, 2011, provide  
18 documentation to the board from the course provider that shall  
19 include the course title, subjects covered, name of provider and  
20 trainer or educator, date of completion, number of hours completed,  
21 and a statement about the trainer's or educator's knowledge and  
22 experience background. Commencing with the license renewal  
23 cycle beginning January 1, 2013, a licensee shall, upon a board  
24 audit, provide the documentation from the course provider to the  
25 board. A licensee who fails to complete the required coursework  
26 or provides false or misleading statements as it relates specifically  
27 to the requirements of this paragraph shall be subject to a civil  
28 penalty imposed by the board not to exceed five thousand dollars  
29 (\$5,000), or license suspension or revocation, or by both civil  
30 penalty and license suspension or revocation.

31 (2) (A) For licenses renewed on and after July 1, 2009, and  
32 before January 1, 2010, a licensee shall have completed one hour  
33 of coursework.

34 (B) For licenses renewed on and after January 1, 2010, and  
35 before January 1, 2011, a licensee shall have completed two and  
36 one-half hours of coursework.

37 (C) For licenses renewed on and after January 1, 2011, a licensee  
38 shall have completed five hours of coursework within the previous  
39 two years.

1 (3) Coursework regarding disability access requirements shall  
2 include information and practical guidance concerning  
3 requirements imposed by the Americans with Disabilities Act of  
4 1990 (Public Law 101-336; 42 U.S.C. Sec. 12101 et seq.), state  
5 laws that govern access to public facilities, and federal and state  
6 regulations adopted pursuant to those laws. Coursework provided  
7 pursuant to this paragraph shall be presented by trainers or  
8 educators with knowledge and expertise in these requirements.

9 (b) The board may audit the records of a licensee to verify the  
10 completion of the coursework requirements of subdivision (a). A  
11 licensee shall maintain records of completion of the required  
12 coursework, containing the information specified in paragraph (1)  
13 of subdivision (a), for two years from the date of license renewal  
14 and shall make those records available to the board for auditing  
15 upon request.

16 (c) Until January 1, 2015, the board shall audit at least 3 percent  
17 of the license renewals received each year to verify the completion  
18 of the continuing education requirements of this subdivision.

19 (d) On or before January 1, 2019, the board shall submit a letter  
20 to the Legislature on the disability access continuing education  
21 provisions required under this subdivision, including the level of  
22 licensee compliance with the requirements, any actions taken by  
23 the board for noncompliance with the requirements, the findings  
24 of board audits, and any recommendations of the board for  
25 improving the process.